

**MINUTES OF THE PUBLIC HEARING HELD BEFORE THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
SEPTEMBER 22, 2010**

A public hearing was held on Wednesday, September 22, 2010, in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor William J. Schmitt called the hearing to order at 6:30 p.m.

Roll Call.

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prechtel	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Kevin Manley	Absent
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the hearing, a majority of the council members must be in attendance. Six of the seven council members were in attendance which is a majority; therefore, there was a quorum for the hearing.

Pledge. Mayor Schmitt then invited those in attendance to join him in reciting the Pledge of Allegiance.

Purpose. Mayor Schmitt said the purpose of the public hearing is to receive public input concerning the petition of Ronald R Schneider Revocable Trust, Ronald R. Schneider Trustee to rezone 16.167 acres located at 445 Third Avenue from R-2 residential to R-4 residential.

Notice appeared in the Herald on September 10, 2010. It was also posted at City Hall and faxed to the news media.

Mayor Schmitt then stated, with respect to tonight's public hearing, we are hereby incorporating by reference into the record of this public hearing, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance and Subdivision Control Ordinance and Flood District and Flood Damage Prevention" and any and all Amendments thereto, and the City of Jasper Comprehensive Plan.

Council member Ambrose 'Butch' Schitter then recused himself from the hearing because of a conflict of interest.

Art Ross, 1426 Park Street, along with Nathan Waggner representing Cash Waggner and Associates, said he was present as a property owner with the Ronald

R. Schneider Revocable Trust. He wants to use the sixteen acres for a forty-four unit condominium association that will be a fifty-five and over retirement community. Ross displayed a site plan showing eighteen two-unit buildings and two four-unit buildings. He said the house would remain as a community building for meetings and the upstairs can be used for guest bedrooms. Ross said they will not break ground until 30-34 units are sold. At the present time there are 15-16 interested parties.

There was some discussion about what happens if the area is rezoned to R-4 and the property is not developed as described. Ross said if this development plan does not work, he is not interested in the property and he would do what is necessary to rezone the area back to R-2.

Mayor Schmitt said the Plan Commission favorably recommended the rezoning but two issues were raised at that meeting; one about drainage and one about the water pressure. Nathan Waggner said they are building a retention pond to help with the drainage and the curb and gutters should also help. Schmitt asked if the water will travel faster down the hill. Waggner said it should be slower.

Mayor Schmitt then asked for public comments. No more comments were received.

Thereafter, a **motion** was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to close the public hearing. The motion carried 5-0 and the hearing closed at 6:52 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 20th day of October, 2010.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary